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HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(S) No. 4245 of 2007

PETITIONERS

1 **Ku. Rambha Dhruw**, aged about 40 years, Astt Teacher, D/o Shri Baratu Ram Dhruw, Govt. Primary School Jamgaon, Block- Fingeshwar, Distt.- Raipur (C.G.)

2 **Smt. Veeda Sahu**, aged about 47 years, Astt. Teacher W/o Shri Rup Kumar Sahu, Govt. Boys Primary School Fingeshwar, Block- Fingeshwar, Distt.- Raipur (C.G.)

3 **Ku. Kamla Dalwani**, aged about 48 years, Astt. Teacher D/o Shri Mohan Lal Dalwani, Govt. Boys Primary School Fingeshwar, Block- Fingeshwar, Distt.- Raipur (C.G.)

4 **Tej Pratap Sahu**, aged about 46 years, Astt. Teacher S/o Shri Umendi Ram Sahu, Govt. Primary School Pendra, Block- Fingeshwar, Distt.- Raipur (C.G.)

5 **Nand Kumar Sahu**, aged about 42 years, Astt. Teacher S/o Shri Ful Singh Sahu, Govt. Primary School Parsathi, Block- Fingeshwar, Distt.- Raipur (C.G.)

6 **Girish Kumar Sahu**, aged about 35 years, Astt. Teacher S/o Shri Ful Singh Sahu, Govt. Primary School Patori, Block- Fingeshwar, Distt.- Raipur (C.G.)

7 **Heera Lal Gilhare**, aged about 42 years, Astt. Teacher S/o Shri Sonu Ram Gilhare, Govt. Primary School Barbhadha, Block- Fingeshwar, Distt.- Raipur (C.G.)

8 **Siyaram Sahu**, aged about 44 years, Astt. Teacher S/o Shri Ghanshyam Sahu, Govt. Primary School Borsi, Block Fingeshwar, Distt.- Raipur (C.G.)

9 **Lakhan Lal Sahu**, aged about 49 years, Astt. Teacher S/o Shri Dhelu Ram Sahu, Govt. Primary School Darripar, Block- Fingeshwar, Distt.- Raipur (C.G.)

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10 **Tulsi Ram Dhruw**, aged about 46 years, Astt. Teacher S/o Shri Joaidha Ram Dhruw, Govt. Middle School Sendar, Block- Fingeshwar, Distt.- Raipur (C.G.)

11 **Gajanand Sahu**, aged about 41 years, Astt. Teacher S/o Shri Sakha Ram Sahu, Govt. Primary School Barula, Block Fingeshwar, Distt.- Raipur (C.G.)

Versus

RESPONDENTS

1 **State Govt. of Chhattisgarh** Through Secretary, Tribal Welfare Department & Education Department, D.K.S. Bhawan, Distt.- Raipur (C.G.)

2 **Distt. Education Officer**, Raipur, District- Raipur (C.G.)

3 **Block Education Officer**, Fingeshwar, District-Raipur (C.G.)

4 **Joint Director**, Treasury, Accounts & Pension, District- Raipur (C.G.)

Appearance:

Shri Ajay Shrivastava, counsel for the petitioners.

Shri Yashwant Singh, Govt. Advocate for the State on advance copy.

ORAL ORDER
(23.07.2007)

SUNIL KUMAR SINHA, J.

Heard on admission.

Learned counsel for the petitioners submits that the petitioners have passed D.Ed. examination on their own expenses, therefore, they are entitled to receive two advance increments according to circulars dated 24.12.1998 and 01.03.1999. He also submits that in many identical matters, the petitions have been allowed in terms of the order passed in the case of ***Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (2006 (II) MPJR-CG 96).*** He submits that their case is squarely covered by the said Judgment.

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This legal position is not disputed by the learned counsel for the State. However, he submits that the order may be passed in terms of the said judgment, but it shall be subjected to verification regarding petitioners' such qualification.

Accordingly, the writ petition is allowed in terms of the order passed in case of *Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra)* subject to the verification of the facts as to whether the petitioners had acquired D.Ed. Examination Certificate on their own expenses as per circulars dated 24.12.1998 and 01.03.1999 and further whether they have been paid two advance increments or not.

The petition stands finally disposed of. No order as to costs.

Sd/-
Sunil Kumar Sinha
Judge

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